

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION
: :
v. : :
: :
ALEXANDER RIVERA : NO. 10-130

ORDER

AND NOW, this 22nd day of July, 2010, upon consideration of Alexander Rivera's pro se motion to suppress (docket entry # 18), the motion to suppress that his lawyer filed before we granted Rivera's request to proceed pro se (docket entry # 25), Rivera's supplemental pro se memoranda (docket entry #s 26, 27 and 30, and 32), and the Government's response thereto (docket entry # 29), and in accordance with the findings of fact and conclusions of law in the accompanying Memorandum, it is hereby ORDERED that:

1. The pro se motion to suppress (docket entry # 18) is GRANTED IN PART;

2. The gun and ammunition that were seized on June 1, 2009, and all statements and testimony regarding that seizure, are SUPPRESSED;

3. The pro se motion to suppress is DENIED as to all of the evidence that Rivera seeks to suppress except the evidence that we describe in Paragraph 2;

4. The motion to suppress that Rivera's lawyer filed (docket entry # 25) is DENIED AS MOOT; and

5. By noon on Friday, July 23, 2010, the Government shall NOTIFY the Court, Rivera, and the defendant's standby counsel whether it will proceed with the trial, which is scheduled to begin on Monday, July 26, 2010.¹

BY THE COURT:

_____\s\Stewart Dalzell

¹ If the Government elects not to go to trial as scheduled, it shall in its submission tomorrow address the issue of Rivera's detention pending any Government appeal.